

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT COURT OF FLORIDA

ALFRED DAVIS AND MAURICE SYMONETTE

Plaintiff

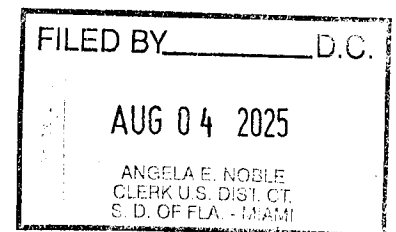
CASE NO: 24-cr-20456-rar

v.

25-cr-80076-AMC

U.S. BANK, NATIONAL ASSOCIATION,  
AS TRUSTEE FOR RASC  
2005AAHL3, ET. AL

Defendants,



MOTION AND AFFIDAVIT FOR RELIEF, RECUSAL, AND RECONSIDER HER ORDER AND  
REVERT BY VACATING HIS ORDER AND MEMORANDUM OF LAW

Pursuant to Florida Stat. 112.131, Florida Rule 2.160 (H) and Federal Rules of Civil Procedure Rule 60, Plaintiff Alfred Davis hereby files this Motion for Relief & Recusal and Supporting Memorandum regarding the 0/13/2023 review of the record and Final Judgement Order, Exh. 119 based on the following facts, new information, just terms, judicial misconduct, fraudulent grounds and discovered conflict of personal investment interests on Financial Disclosures of Judges and officers of this Court (Exhibit 0 #) Attached- U.S. BANK Special Situation Property Funds Account Page 42, IFRS 2018 Tables 9-13, SEC Filings- U.S. BANK Florida Subsidiaries, Judge Alan Fine Financial Interests & Property Disclosures).

**Federal rule 28 USC SS455 (b)(1)(3)(4)(iii)(c)(d)-(4)(d) Says A Judge may Vacate her orders for Conflict of Interest Canon 3E(1) A Judge shall disqualify himself where impartiality might reasonably be questioned grounds to disqualify is party fears Judge is Biased. Judge can't have a conflict of Interest!**

Attorney Hayden Patrick O'byrne must Recuse himself for an open obvious Conflict of Interest because he's doing business with US Bank and helping them to make money so that he can make money by foreclosing and taking (stealing) our property while acting as the Judge on the case on our property, not on case's Merits for to make him and them money Illegally. Here's proof: In his 2023 Form 6 Affidavit Oath from Tallahassee called FULL

**AND PUBLIC DISCLOSURE OF FINANCIAL** Says: he got \$10,000 Exh 1. Doing business with bank of America which which is U.S. Bancorp, Exh.2. **And** U.S. Bancorp is U.S. Bank Exh. 3. Also on his **2023 Form 6 Affidavit Oath from Tallahassee called FULL AND PUBLIC DISCLOSURE OF FINANCIAL** which means U.S. Bank is Atty. Hayden P. O'byrne according to Form 6 signed by his Affidavit of Financial interest whole way of wealth making money and partners with him in almost all assets he owns other than his Judge's Salary is U.S. BANK. This is why he has ruled in favor of U.S. BANK to give a date to sale our house 10/16/2023, Exh. 4. WHICH IS ALL U.S. BANK. Who has ruled in favor of US BANK. This is a Horrible Conflict of Interest against us and there's more. I have found that our case was directed to other Judges in this cess Pool all with the same Conflict of interest like Judge Valerie Manno Schurr a Judge we had never met jumping into our case after Judge Zabel dismissed U.S Banks Lawsuit against me with Prejudice because they never had or owned the Note and then one year later Judge Valerie Manno Schurr got \$995,000 from U.S. Bank according to her Form 6 Financial Disclosure Affidavit, Exh. 5. And then suddenly inserted herself into our case without ever meeting us and dismissed the case with Prejudice like Judge Zabel did, Exh. 6. So as to avoid the Law which says another Judge cannot change another Judges order in the same Circuit Court so he made the same Order so he could change her own Order to dismiss without Prejudice and got another \$,1 million dollar plus \$400,000 dollar money asset from GMAC which is U.S. Bank and then she changed her own Order to Dismissed without Prejudice Exh.7. And then received a \$2.4 million money asset from Wells Fargo/Wachovia. According to her form 6 Financial Affidavit to circumvent Judge Zabel's Dismissal with Prejudice! Exh.8. And then these wicked Lawyers Foreclose without notice to us and we went through a 10 year fight see the Docket for the 2010 case which had no notice, no Assignments, no Note and no Mortgage Correctly to U.S. Bank form Axiom Bank see Exh.9. Then Maurice Symonette did a Quite Title suit and after 10 years Judge Valerie Manno Schurr shows up again and I showed her the Evil which she had done by taking money (\$995,000) From GMAC/U.S. Bank to steal our property even though we were making payments. This is Home Title Fraud in its utmost and when she saw she was caught from her own Form 6 Affidavit and evil Judgments she Recused herself especially after we paid for Newspaper, Ads and Radio TV Commercials Exh.10. Telling on her and knowing that we have turned her over to the FBI and Attorney General Markenzy Lapointe do as judge Valerie Manno Schurr and Judge Vivianne Del Rio did because he has the same Conflict of Interest. So he must Recuse and

Vacate His Orders against us, Exh.11. Exhibit, 12.

## FACTS

1. On Dec. 19, 2017, Defendant Judge Valerie Schurr Issued a final Judgment Order Exh. A and then Attorney General Markenzy Lapointe against Plaintiff and Pursuant to Florida Stat. 112.131, Florida Rule 2.160 (H) and Federal Rules of Civil Procedure Rule 60, Plaintiff ALFRED DAVIS hereby files this Motion for Relief & Recusal and Supporting Memorandum regarding the 05/04/2022 of Attorney General Markenzy Lapointe review of the record and Final Judgement for Foreclosure Sale Date Order, Exh. 1. based on the following facts, new information, just terms, judicial misconduct, fraudulent grounds and discovered conflict of personal investment interests on Financial Disclosures of Judges and officers of this Court (Exhibits # 2) Attached- U.S. BANK Special Situation Property Funds Account Page 42, IFRS 2018 Tables 9-13, SEC Filings- U.S. BANK Florida Subsidiaries, Judge Anuraag Hari Singhal & Property Disclosures). This Motion for Relief by vacating order Judgment Florida Rule 2.160 (H) and Recusal is based on new facts, related to a whistle blower's information, willful blindness, fraud, misconduct, and discovered evidence unknown at the time of the original Complaint filing Plaintiff could not reasonably know the financial dealings with Defendants of a yet to be assigned judge before the original Complaint filing As previously displayed by his Dismissal Order, due to cited improper financial conflicts of interest, Judge Samantha Ruiz Cohen was incapable of impartially and without animus against Pro-Se Plaintiff or to exercise unbiased judicial duties required for due process justice in this case.

Attorney General Markenzy Lapointe has creditor loan history and business with Plaintiff U.S. BANK MERS and JP Morgan that caused preferential Quid Pro Quo treatment by her sua sponte review and Final Judgment Order. Attorney General Markenzy Lapointe has significant exposed investor financial interests in the subject matter in

controversy and with Plaintiff U.S. BANK that will be substantially negatively affected by the outcome of

that proceedings when the Defendant “ultimately prevails and promotes in paid for adds in the media. Because people can’t win when the Judge is on the side of the Banksters to steal property and money off their Prey!

Example of Judges who already recused themselves from U.S. BANK

1. JUDGE DARRIN P. GAYLES Exhibit, 15.
2. THOMAS WILLIAMS Exhibit, 16.
3. JUDGE VALERIE MANNO SCHURR’S RECUSAL Exhibit, 17

**Florida Rule 2.160 (H) Says A Judge may Vacate his orders for Conflict of Interest Theodore R. Bundy V. Judge John A. Rudd FL Rule 2.160 (D) (1) FL Code Jud. Conduct . Canon 3E(1) A Judge shall disqualify himself where impartiality might reasonably be questioned Rule 2.160 (D) (1) grounds to disqualify is party fears Judge is Biased FL Statute 112.312 (8) Judge can’t have a Conflict of Interest!!!**

## FACTUAL BACKGROUND

reasonable person would question the judge’s impartiality.

Fla. Code Jud. Conduct, Canon 3E(1), Fla. Rule 2.160 (A) (H), Fla. Statute 112.312 (8) and Section 455(b) He shall also disqualify Herself in the following circumstancess.

*(4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceedings*

*(d)(4) “financial interest” means ownership of a legal or equitable interest, however small*

## CONCLUSION

## 2023 Form 1 - Statement of Financial Interests

Filed with COE: 07/21/2024

**General Information**

Name: Mr Hayden Patrick O'Byrne

**CONFIDENTIAL****PID 268872****AGENCY INFORMATION**

Organization

Suborganization

Title

Judicial Nominating Commission-11th Circuit

11th Judicial Circuit

Member

**Disclosure Period**

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023.

**Primary Sources of Income**

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)

(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity
United States Department of Justice - USAO SDFLA	99 NE 4th Street	Criminal Prosecution

## 2023 Form 1 - Statement of Financial Interests

Filed with COE: 07/21/2024

**Secondary Sources of Income**

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source
N/A			

**Real Property**

REAL PROPERTY (Land, buildings owned by the reporting person)  
(If you have nothing to report, write "none" or "n/a")

Location/Description
N/A

**Intangible Personal Property**

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000)  
(If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates
Bank Accounts	UBS
Bank Accounts	U Credit Union
Thrift Savings Plan	United States Department of Justice
Retirement Accounts	Morgan Stanley
Retirement Accounts	Fidelity Investments

## 2023 Form 1 - Statement of Financial Interests

Filed with COE: 07/21/2024

**Liabilities**

LIABILITIES (Major debts valued over \$10,000):  
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor
U.S. Bank	800 Nicollet Mall Minneapolis, MN 55402
Loan Depo	80 M St SE, Washington, DC 20003

**Interests in Specified Businesses**

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)  
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1
N/A

**Training**

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

## REQUIRED RELIEF

Pursuant to Fla. Code Jud. Conduct, Canon 3E(1), Fla. Rule 2.160 (A) (H), Fla. Statute 112.312 (8) and Federal Rules of Civil Procedure Rule 60, Plaintiff requires Relief from the June 25, 2010 Final judgment Order [Exhibit J], based upon the stated facts, just terms, cited misconduct, Rule 60 grounds and newly discovered banking real estate fraud by court officers. Said Reopening Relief would require the vacating of his order and Recusal of Judge Valerie Schurr from this and any future related U.S. BANK banking real estate cases in this District. The Dismissal Order Relief also requires that all parties be reinstated to their prior positions in this action (Dismissal with Prejudice) requiring Clerk issuance of Summons upon the Defendants and allow the filing of a Motion to dismiss the Final Judgment for cause, grounds and reasons stat

## Sworn Oath

I Attest to all facts being true and correct to the best of my knowledge in accordance with 28 USC 1746 and Florida Statute Chapter 92.525. Executed this 18th day of June 2024.



Respectfully Filed,

DOCTORATE MINISTER ARTICLE 3 SECTION CLAUSE 1  
NEXT FRIEND, MAURICE SYMONETTE.  
15020 S. RIVER DR  
MIAMI FL. 33167  
NEXT FRIEND

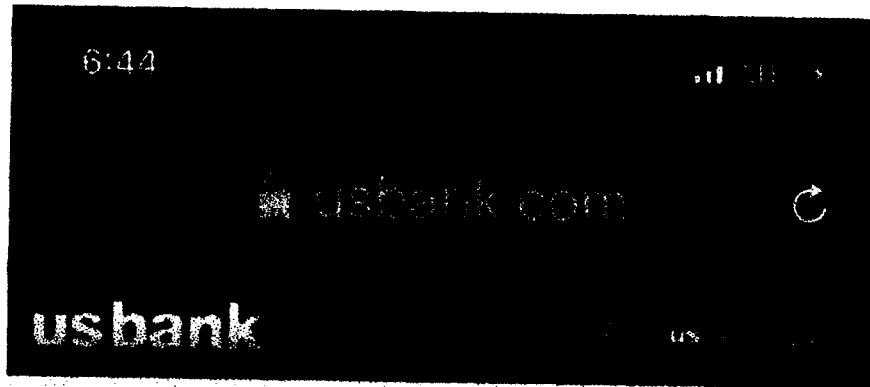


ALFRED LENORIS DAVIS  
PRO SE PETITIONER  
627 SOUTHRIDGE RD.  
DELRAY BEACH, FL. 33444

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 12th day of Feb., 2020 a true and correct copy of the foregoing was provided via this Court's electronic filing system to the attorneys of record for amounts due and owing on same mortgage that was dismissed with Prejudice in former case no: 07-12407CA01 where U.S. BANK could never produce the promissory Note though they were asked by the Judge several times but never did bring it forth. Exhibit I. A judge cannot change another Judge's ORDER! And also on June 25 2010, Judge Valerie Schurr issued a Judgment order acting as a quasi-defense attorney for U.S. BANK his personal investment Partner to make money together. Defendant MACK WELLS has now subsequently provided the United States Department of Justice (DOJ) on specific newly discovered whistle blower information and records regarding millions of dollars in exposed fraudulent foreclosure claims made by the Defendants U.S. BANK, Clerks and Court officers in this action. Exhibit, O. GMAC Also does not own





Exh.3

[Log In](#)


## About U.S. Bank

U.S. Bancorp (NYSE: USB) is the parent company of U.S. Bank, one of the largest commercial banks in the United States, and its subsidiaries, U.S. Bank Wealth Management and U.S. Bancorp Investments, Inc.. The company operates more than 3,000 banking offices and nearly 5,000 ATMs, and provides a comprehensive line of banking, brokerage, insurance, investment, mortgage, trust and payment-services products to consumers, businesses and institutions.

**Investment products and services are:**

**Not a Deposit • Not FDIC Insured • May Lose Value •  
Not Bank Guaranteed • Not Insured by any Federal  
Government Agency**

**For U.S. Bank:**

 Equal Housing Lender. Credit products are offered by U.S. Bank National Association and subject to normal credit approval. Deposit products offered by U.S. Bank National Association. Member FDIC. [Learn More](#)

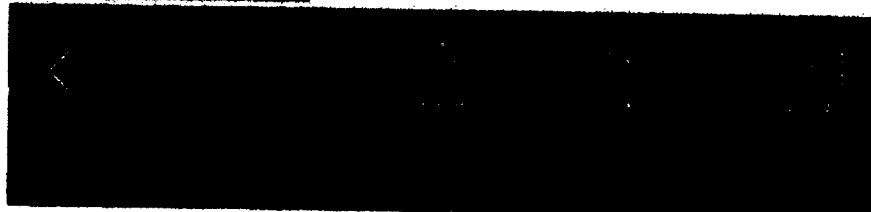
U.S. Bank is not responsible for and does not guarantee the products, services or performance of U.S. Bancorp Investments.

**For U.S. Bancorp Investments:**

Investment products and services are available through U.S. Bancorp Investments, the marketing name for U.S. Bancorp Investments, Inc., member **FINRA** and **SIPC**, an investment adviser and a brokerage subsidiary of U.S. Bancorp and affiliate of U.S. Bank.

[Back](#)

[Disclosure Information](#)



Exh.4

406	10/26/2023	Notice of Hearing	Event	NOVEMBER 27, 2023 @ 10:00 AM
407	10/26/2023	Defection to Sale	Event	
408	10/26/2023	Defection	Event	TO FORECLOSURE SALE ADDED TO CO-COUNSEL NASHID SABIR
409	10/23/2023	Receipt	Event	RECEIPT# 2380007 AMT PAID \$144.00 NAME US BANK COMMENT COPIES ALLOCATION CODE QUANTITY UNIT AMOUNT 3121 -CERTIFIED \$ 83.00 3120-COPY 80 \$1.00 358.00 3120-COPY 50 \$1.00 350.00 3120-COPY 26 \$1.00 826.00 TENDER TYPE:MASTER CARD TENDER AMT \$144.00 RECEIPT DATE:10/23/2023 REGISTER:296 CASHIER:GERALD P
404	10/23/2023	Defection to Sale	Event	DEFENDANT'S MOTION ETC....
403	10/19/2023	Certificate of Sale	Event	RESET FEES (OCTOBER 16, 2023)
407	10/17/2023	Mortgage Collection	Event	06/PL/76644
400	10/17/2023	Mortgage Foreclosure Notice	Event	06/PL/76644/DOC STAMPS.
399	10/17/2023	3rd Amount	Event	06/PL/76644
393	10/17/2023	Receipt	Event	RECEIPT# 2100006 AMT PAID \$536.80 NAME BROCK AND SCOTT, PLLC COMMENT 76644 ALLOCATION CODE QUANTITY UNIT AMOUNT 3210-DOC. STAMPS - DEED 1 \$466.80 3216-JUD ELECTRONIC SAL 1 \$70.00 370.00 TENDER TYPE:CHECK TENDER AMT \$466.80 TENDER TYPE:CHECK TENDER AMT \$70.00 RECEIPT DATE:10/17/2023 REGISTER:210 CASHIER: DINGUIB
386	10/16/2023	Notice of Filing	Event	BANKRUPTCY 23-18419-SMO
398	10/15/2023	Mortgage Foreclosure Sale	Event	23-18419-SMG
397	10/15/2023	Notice of Bankruptcy	Event	
397	10/15/2023	Notice	Event	NOTICE OF REMOVAL
396	10/15/2023	Notice of Filing	Event	JUDGE CARLOS LOPEZ'S ORDER
395	10/15/2023	Notice of Filing	Event	NOTICE OF REMOVAL
394	10/15/2023	Notice of Removal to Federal Court	Event	
386	10/14/2023	Receipt	Event	RECEIPT# 2080036 AMT PAID \$80.00 NAME KELLEY, JUSTIN JAMES BROCK & SCOTT, PLLC 2001 NW 84TH ST., SUITE 150 FT. LAUDERDALE FL 33309 COMMENT: ALLOCATION CODE QUANTITY



PAGE 6

**Exh.6**

IN THE CIRCUIT COURT OF THE  
FIRST JUDICIAL CIRCUIT IN AND  
FOR DADE COUNTY, FLORIDA  
GENERAL JURISDICTION DIVISION

CASE NO. 2010-24076-01

April 1, 2010

U.S. Bank, N.A.  
Plaintiff(s)

Vs.

Meroy Williams  
Defendant(s)

ORDER OF DISMISSAL WITH PREJUDICE

This action was heard on the defendants motion to dismiss for lack of prosecution  
Served on April 11, 2008. The court finds that (1) notice prescribed by rule 1.40 (e)  
Was served on April 11, 2008, (2) there was no record activity for the year preceding  
Service of the foregoing notice, (3) no stay has been issued or approved by the court  
And (4) no party has shown good cause why this action should remain pending  
Accordingly,

IT IS ORDERED That this action is Dismissed for lack of Prosecution with Prejudice  
DONE AND ORDERED in chambers, at Miami, Dade County, Florida this 31th day of  
March, 2010.

APR 06 2010

APR 06 2010

CIRCUIT COURT JUDGE

VALERIE MANNO SCHURR  
CIRCUIT COURT JUDGE

*ON FILE*

12/22 21  
*[Signature]*

NO #70

FORM 6 FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS		2009												
<p><b>PROCESSED</b></p> <p>II Hon Valerie R. Manno Schurr Circuit Judge Judicial Circuit (11Th) Elected Constitutional Officer 73 W FLAGLER ST DADE COUNTY COURTHOUSE RM 1105 MIAMI FL 33130</p>	<p style="text-align: center;">COMMISSION ON ETHICS DATE RECEIVED</p> <p>FOR OFFICE USE ONLY</p> <p>ID Code: <b>MONMONMON</b></p> <p>DOB: 210380</p> <p>Exp. Date:</p> <p>Reg. Code:</p> <p>Manno Schurr, Valerie R</p>													
<p>CHECK IF THIS IS A FILING BY A CANDIDATE <input checked="" type="checkbox"/></p>														
<p><b>PART A -- NET WORTH</b></p>														
<p>Please provide value of net worth as of December 31, 2009, or as of report date. (Note: Net worth includes all assets, including cash, investments, real estate, etc., and excludes liabilities. See the instructions on page 1.)</p> <p>My net worth as of <u>12-31-2009</u> was \$ <u>1,000,000</u></p>														
<p><b>PART B -- ASSETS</b></p>														
<p><b>HOUSEHOLD GOODS AND PERSONAL EFFECTS</b></p> <p>Household goods and personal effects may be reported in aggregate. If the aggregate value exceeds \$1,000, the filer must provide a description of the items, including their location, investment purposes, jewelry, collection, etc. (See instructions on page 1.)</p> <p>The aggregate value of household goods and personal effects is \$ <u>1,000</u></p>														
<p><b>ASSETS INDIVIDUALLY VALUED AT OVER \$1,000</b></p> <p>DESCRIPTION OF ASSET (specific description is required - see instructions p. 4)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">DESCRIPTION OF ASSET</th> <th style="width: 20%;">VALUE OF ASSET</th> </tr> </thead> <tbody> <tr> <td>1. <u>Home - 1105 W Flagler St, Miami, FL 33130</u></td> <td><u>\$1,000,000</u></td> </tr> <tr> <td>2. <u>Investment - 10000 shares of ABC Corp</u></td> <td><u>\$100,000</u></td> </tr> <tr> <td>3. <u>Investment - 10000 shares of DEF Corp</u></td> <td><u>\$100,000</u></td> </tr> <tr> <td>4. <u>Investment - 10000 shares of GHI Corp</u></td> <td><u>\$100,000</u></td> </tr> <tr> <td>5. <u>Investment - 10000 shares of JKL Corp</u></td> <td><u>\$100,000</u></td> </tr> </tbody> </table>			DESCRIPTION OF ASSET	VALUE OF ASSET	1. <u>Home - 1105 W Flagler St, Miami, FL 33130</u>	<u>\$1,000,000</u>	2. <u>Investment - 10000 shares of ABC Corp</u>	<u>\$100,000</u>	3. <u>Investment - 10000 shares of DEF Corp</u>	<u>\$100,000</u>	4. <u>Investment - 10000 shares of GHI Corp</u>	<u>\$100,000</u>	5. <u>Investment - 10000 shares of JKL Corp</u>	<u>\$100,000</u>
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<p><b>PART C -- LIABILITIES</b></p>														
<p><b>LIABILITIES IN EXCESS OF \$1,000</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">NAME AND ADDRESS OF CREDITOR</th> <th style="width: 20%;">AMOUNT OF LIABILITY</th> </tr> </thead> <tbody> <tr> <td>1. <u>Bank of America, 10000 Main St, Miami, FL 33130</u></td> <td><u>\$100,000</u></td> </tr> <tr> <td>2. <u>Wells Fargo, 10000 Main St, Miami, FL 33130</u></td> <td><u>\$100,000</u></td> </tr> <tr> <td>3. <u>JP Morgan Chase, 10000 Main St, Miami, FL 33130</u></td> <td><u>\$100,000</u></td> </tr> </tbody> </table>			NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY	1. <u>Bank of America, 10000 Main St, Miami, FL 33130</u>	<u>\$100,000</u>	2. <u>Wells Fargo, 10000 Main St, Miami, FL 33130</u>	<u>\$100,000</u>	3. <u>JP Morgan Chase, 10000 Main St, Miami, FL 33130</u>	<u>\$100,000</u>				
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<p><b>JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">NAME AND ADDRESS OF CREDITOR</th> <th style="width: 20%;">AMOUNT OF LIABILITY</th> </tr> </thead> <tbody> <tr> <td>1. <u>None</u></td> <td><u>0</u></td> </tr> </tbody> </table>			NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY	1. <u>None</u>	<u>0</u>								
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**Exh.8**

IN THE CIRCUIT COURT OF THE  
FIFTH JUDICIAL CIRCUIT IN AND  
FOR DADE COUNTY, FLORIDA

GENEVA E. THOMPSON DAWSON

CASE NO. 25-13000

Mr. Bart Wilson,  
Prosecutor,

Jeroy Williams  
Defendant.

**ORDER DISMISSING WITH PREJUDICE**

This action was brought by the defendant's motion to dismiss on or about or presented to the Court on April 1, 2025. The Court has reviewed the motion and the rule 1.1(b) of the Florida Rules of Criminal Procedure, which provides that the Court may dismiss a case if the defendant has been acquitted or if the defendant has been found not guilty. The Court has reviewed the motion and the rule 1.1(b) of the Florida Rules of Criminal Procedure, which provides that the Court may dismiss a case if the defendant has been acquitted or if the defendant has been found not guilty. The Court has reviewed the motion and the rule 1.1(b) of the Florida Rules of Criminal Procedure, which provides that the Court may dismiss a case if the defendant has been acquitted or if the defendant has been found not guilty.

IT IS ORDERED THAT the Court has reviewed the motion to dismiss and the rule 1.1(b) of the Florida Rules of Criminal Procedure, which provides that the Court may dismiss a case if the defendant has been acquitted or if the defendant has been found not guilty. The Court has reviewed the motion and the rule 1.1(b) of the Florida Rules of Criminal Procedure, which provides that the Court may dismiss a case if the defendant has been acquitted or if the defendant has been found not guilty.

*[Signature]*  
\_\_\_\_\_  
Judge

10020

EXHIBIT E  
B3 Exh.9

CFN 20080941616  
DR 26657 Pg 35251 (1pg)  
RECORDED 11/20/2008 09:14:11  
HARVEY MUIR, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA  
LAST PAGE

## ASSIGNMENT OF MORTGAGE

SPACE FOR RECORDING ONLY (SAMPLE)

FOR VALUE RECEIVED, on or before April 19, 2007, the undersigned, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INCORPORATED, AS NOMINEE FOR HOMECOMING FINANCIAL, LLC, ("Assignor") whose address is

assigned, transferred and conveyed to: U.S. BANK N.A., ("Assignee") whose address is 1100 Virginia Drive, Fort Washington, PA 19034, its successors and/or assigns, all of the right, title, and interest of Assignor in and to that certain Mortgage (the "Mortgage") dated June 30, 2005 and recorded July 29, 2005 in Official Records Book 23623 at Page 3231 of the public records of MIAMI-DADE County, Florida, encumbering the following-described real property:

LOT 185, BISCAYNE GARDENS SECTION F PART 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 46, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

as the same may have been amended from time to time, together with the Note and indentures secured thereby.

MORTGAGOR(S): LEROY WILLIAMS

BY WITNESS WHEREOF, Assignor has executed and delivered this instrument on October 21, 2008.

*[Signature]*  
Witness  
Typed Name: Peggy Hong  
*[Signature]*  
Witness  
Typed Name: Laurie Kirby

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INCORPORATED, AS NOMINEE FOR HOMECOMING FINANCIAL, LLC

By: *[Signature]*  
Typed Name: SHIRLEY EADS  
Title: VICEL PRESIDENT

Attest:  
Typed Name: Jeffrey Stephens  
Title: Assistant Secretary

(Affix Corporate Seal)

STATE OF Pennsylvania  
COUNTY OF Montgomery

BEFORE ME, the undersigned, personally appeared SHIRLEY EADS and Jeffrey Stephens, as Vice President and Assistant Secretary respectively, and known to me to be the persons who executed this foregoing instrument, and acknowledged that they executed the foregoing as its duly authorized officers and that such execution was done as the free act and deed of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INCORPORATED, AS NOMINEE FOR HOMECOMING FINANCIAL, LLC this 21<sup>st</sup> day of October, 2008.

Notary Public:  
My commission expires:

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Susan Thomas, Notary Public  
Harrison Twp., Montgomery County  
My Commission Expires Nov. 9, 2011  
Member, Pennsylvania Association of Notaries

Recording requested by, prepared by and signed by:  
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F07012148-OMAC MORTGAGE, LLC-744912937

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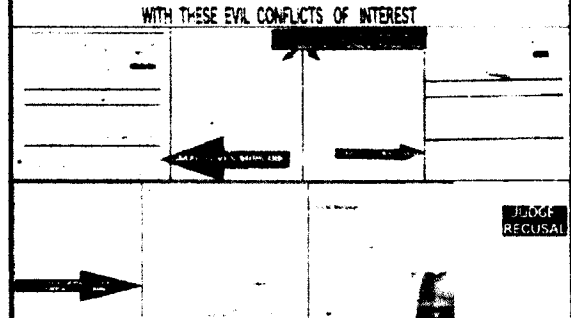
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**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2010-061928-CA-01

SECTION: CA11

JUDGE: Spencer Eig

**U S Bank (na)**

Plaintiff(s)

vs.

**Williams, Leroy**

Defendant(s)

**ORDER DENYING DEFENDANT'S OMNIBUS EMERGENCY MOTION TO VACATE  
OR SET ASIDE FORECLOSURE SALE, OBJECTION TO SALE, OR  
ALTERNATIVELY/OTHER EQUITABLE RELIEF**

**DOCKET ENTRY #404**

**THIS CAUSE** came before the Court via Zoom hearing held on April 5, 2024 upon Defendant's Omnibus Emergency Motion to Vacate or Set Aside Foreclosure Sale, Objection to Sale, or Alternatively/Other Equitable Relief (D.E. #404), and the Court having heard argument from counsel, having reviewed the file, and being otherwise fully advised in the premises, it is hereby

**ORDERED AND ADJUDGED** that,

1. Defendant's Omnibus Emergency Motion to Vacate or Set Aside Foreclosure Sale, Objection to Sale, or Alternatively/Other Equitable Relief (D.E. #404) is hereby respectfully DENIED.

**DONE** and **ORDERED** in Chambers at Miami-Dade County, Florida on this 8th day of April, 2024.

2010-061928-CA-01 04-08-2024 4:19 PM

2010-061928-CA-01 04-08-2024 4:19 PM

Hon. Spencer Eig

**CIRCUIT COURT JUDGE**

Electronically Signed